

DOCKET NO.: ELSE-0819

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

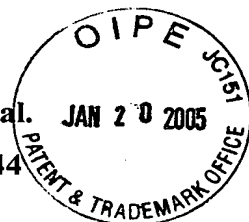
In Re Application of:

Rodney C. Hemminger, et al.

Application No.: 10/617,844

Filing Date: July 11, 2003

For: **APPARATUS FOR METERING AT LEAST ONE TYPE OF ELECTRICAL  
POWER OVER A PREDETERMINED RANGE OF SERVICE VOLTAGES**



Confirmation No.: 7986

Group Art Unit: 2829

Examiner: Kobert, Russell Marc

Express Mailing Label No.: EL 999299959 US  
Date of Deposit: January 20, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☐ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or

01/25/2005 CCHAU1 00000023 10617844

01 FC:1806

180.00 OP

before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☒ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☒ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☒ Copies of reference numbers **236 thru 278** listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

- ☐ Copies of references - are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number , filed for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

There are no listed references which are not in the English language.

**DOCKET NO.: ELSE-0819**

**- 3 -**

**PATENT**

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: **January 20, 2005**

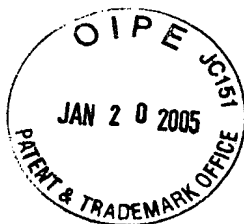


---

**Vincent J. Roccia**  
Registration No. **43,887**

WOODCOCK WASHBURN LLP  
One Liberty Place - 46th Floor  
Philadelphia, PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439

© 2004 WW



<b>Form PTO-1449 Modified</b>		Docket No. <b>ELSE-0819</b>	Application No. <b>10/617,844</b>
List of Patent and Publications Cited by Applicant (Use several sheets if necessary)		Applicant <b>Rodney C. Hemminger, et al.</b>	
U.S. Department of Commerce Patent and Trademark Office		Filing Date <b>July 11, 2003</b>	Group <b>2829</b>
		Confirmation No. <b>7986</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	<b>236</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Videotaped Deposition of Mark L. Munday, Thursday July 25, 2002, 1-226 pages</b>	
	<b>237</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Fred F. Schleifer, August 6, 2002, 1-168</b>	
	<b>238</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Rodney Hemminger, Friday August 9, 2002, 253 pages</b>	
	<b>239</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Scott Holdsclaw, Volume 1, August 21, 2002, 1-168 pages</b>	
	<b>240</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Deposition of Scott Holdsclaw, Volume II, August 22, 2002, 160-341</b>	
	<b>241</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, Continuation <b>Deposition of Scott Holdsclaw, Volume III, September 12, 2002, 1-154</b>	
	<b>242</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Continuation Deposition of Rodney Hemminger, September 13, 2002, 115 pages</b>	
	<b>243</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Videotaped Deposition of Raymond Schmitt, Wednesday October 2, 2002, 98 pages</b>	
	<b>244</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Proposed Claims Construction for Disputed Terms of Schlumberger Patents, October 29, 2002, 1-24</b>	
	<b>245</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Oral Videotape Deposition of James K. Roberge, Wednesday November 6, 2002, 1-238</b>	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. <b>ELSE-0819</b>	Application No. <b>10/617,844</b>
	Applicant <b>Rodney C. Hemminger, et al.</b>	
	Filing Date <b>July 11, 2003</b>	Group <b>2829</b>
	Confirmation No. <b>7986</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>		
246	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Proposed Claim Constructions of ABB Asserted Patent Claims, October 29, 2002, 16 pages</b>	
247	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Proposed Claim Constructions of Schlumberger Asserted Patent Claims, November 1, 2002, 18 pages</b>	
248	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Proposed Claims Construction for Disputed Terms of ABB Patents, November 4, 2002, 16 pages</b>	
249	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Invalidity of Asserted Claims in U.S. Patent No. 5,621,629, December 5, 2002, 24 pages</b>	
250	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent No. 5,903,145, December 5, 2002, 29 pages</b>	
251	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent No. 5,555,508, December 5, 2002, 18 pages</b>	
252	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent No. 5,548,527, December 5, 2002, 12 pages</b>	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. <b>ELSE-0819</b>	Application No. <b>10/617,844</b>
	Applicant <b>Rodney C. Hemminger, et al.</b>	
	Filing Date <b>July 11, 2003</b>	Group <b>2829</b>
	Confirmation No. <b>7986</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>		
253	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's "Markman" Claim Construction Brief for U.S. Patent NO's 5,457,621, 5,621,629, 5,903,145, 5,555,508, 5,548,527, December 5, 2002</b>	
254	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Claim Construction Brief for U.S. Patent Nos. 5,469,049, 5,631,554, 5,010,335, 4,509,128, 4,697,180, December 6, 2002</b>	
255	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Joint Claim Construction Statement of ABB Asserted Patent Claims, December 6, 2002, 14 pages</b>	
256	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Joint Claim Construction Statement of Schlumberger Asserted Patent Claims, December 6, 2002, 33 pages</b>	
257	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Partial Summary Judgment Regarding Damages, December 6, 2002, 14 pages</b>	
258	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Non-Infringement of Asserted Claims in U.S. Patent NO. 5,621,629, December 5, 2002, 14 pages</b>	
259	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b>	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. <b>ELSE-0819</b>	Application No. <b>10/617,844</b>
	Applicant <b>Rodney C. Hemminger, et al.</b>	
	Filing Date <b>July 11, 2003</b>	Group <b>2829</b>
	Confirmation No. <b>7986</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>		
	<b>260</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Memorandum Regarding Claim Construction of the Schlumberger Patents, December 6, 2002,</b>
	<b>261</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix in Support of ABB'S Memorandum Regarding Claim Construction of the Schlumberger Patents, December 6, 2002,</b> With attached Exhibits 1 thru 21
	<b>262</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume I, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 1 thru 6
	<b>263</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume II, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 7 thru 8
	<b>264</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume III, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 9 thru 10
	<b>265</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Appendix-Volume IV, ABB'S Memorandum Regarding Claim Construction of the ABB Patents, December 6, 2002,</b> With attached Exhibits 11 thru 24
	<b>266</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Motion for Summary Judgment of Invalidity of the Asserted Claims in U.S. Patent No. 5,457,621, December 6, 2002,</b> 15 pages
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>

<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. <b>ELSE-0819</b>	Application No. <b>10/617,844</b>
	Applicant <b>Rodney C. Hemminger, et al.</b>	
	Filing Date <b>July 11, 2003</b>	Group <b>2829</b>
	Confirmation No. <b>7986</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>		
	<b>267</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Invalidity of the Asserted Claims in U.S. Patent No. 5,457,621, December 6, 2002, 15 pages</b>
	<b>268</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumberger's Memorandum in Support of Motion for Summary Judgment of Invalidity of Asserted Claims in U.S. Patent No. 5,621,629, December 6, 2002, 24 pages</b>
	<b>269</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Motion for Summary Judgment of Literal Infringement of ABB's 621, 629, and 145 Patents and Summary Judgment of No Invalidity of All the ABB Patents in Suit, December 6, 2002, 5 pages</b>
	<b>270</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Memorandum in Support of its Motion for Summary Judgment of Literal Infringement of ABB's 621, 629, and 145 Patents and Summary Judgment of No Invalidity of All of the ABB Patents, December 6, 2002, With Attached Exhibits A, 1 thru 22</b>
	<b>271</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Reply in Support of its Motion for Summary Judgment, January 15, 2003, 19 pages</b>
	<b>272</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Schlumbergers's Reply Brief to ABB's "Combined Opposition to Schlumberger's Eight Motions for Summary Judgment", January 15, 2003, 24 pages</b>
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>



<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office	Docket No. <b>ELSE-0819</b>	Application No. <b>10/617,844</b>
	Applicant <b>Rodney C. Hemminger, et al.</b>	
	Filing Date <b>July 11, 2003</b>	Group <b>2829</b>
	Confirmation No. <b>7986</b>	
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>		
	<b>273</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Memorandum Order-Construing Disputed Claim Language in United States Patent Nos: 5,457,621, 5,621,629, 5,903,145, 5,555,508 and 5,548,527, March 27, 2003</b>
	<b>274</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Order-Granting in part, Denying in Part, March 27, 2003, 3 pages</b>
	<b>275</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB's Motion for Reargument and Reconsideration of the Construction of the "Logic For" Limitations of Schlumberger's 049 and 554 Patents, April 9, 2003, With attached Exhibits 1 thru 7,</b>
	<b>276</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>ABB'S Motion for Reargument and to Alter Judgment with Respect to the March 27, 2003 Opinion and Order Granting Summary Judgment of Invalidity of Claims 1 and 13 of the 621 Patent and the Court's Construction of the Phase "A Controller... Generating said Control Signal in Response to the Output of Said Power Supply", April 9, 2003, With Attached Exhibits 1 thru 3</b>
	<b>277</b>	In the United States District Court for the District of Delaware, Case No.: 01-77 SLR, ABB Automation, Inc., V. Schlumberger Resource Management, <b>Order-Plaintiff's Motion for Reargument or Reconsideration is Denied, April 10, 2003, 2 pages</b>
	<b>278</b>	In the Unites States Court of Appeals for the Federal Circuit, Case No.: 04-1052-1066, DCT 01-CV-77, Elster Electricity LLC., v. Schlumbergersema, Inc., <b>Notice of Entry Judgment Accompanied by Opinion, Opinion Filed and Judgment Entered, July 30, 2004, 11 pages</b>
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>